



March 10, 2014

Judiciary Committee

**Testimony of Kristin Hoffman *in support of*
SB 31: An Act Concerning Continued Delivery of Legal Services to the Poor**

Senator Coleman, Representative Fox, Senator Doyle, Representative Ritter and members of the Committee:

My name is Kristin Hoffman. I am the chair of the Board of Directors of Greater Hartford Legal Aid. On behalf of Greater Hartford Legal Aid, Connecticut Legal Services and New Haven Legal Assistance I thank you for all you have done to support vitally needed funding for civil legal services for poor people, and ask for your continued support.

I am an attorney with a private immigration law practice in Hartford. I have served on the Board of Directors of Greater Hartford Legal Aid since January 2008 because I believe strongly in the mission of the agency and felt a moral obligation to play a part, however small, in achieving equal access to justice for the poor.

With me today are Attorney and Professor Jay Pottenger Jr., Chair of New Haven Legal Assistance Association, and Attorney Richard Orr, Chair of the Board of Connecticut Legal Services. The lead executive staff of these programs are seated behind us.

Together our three organizations cover the entire state of Connecticut. I am testifying on behalf of all three organizations. My testimony makes 2 points:

First: legal aid funding has been in crisis since 2008 when Interest on Lawyers Trust Accounts (IOLTA) funding began to dramatically decrease (from \$20.7 million in 2007, to about \$2 million/year now), but during that same time period there has been an increase in the numbers of low-income people who are themselves in crisis and who need legal services in order to meet their basic human needs;

Second: court fees enacted by the governor and legislature in 2012 provide essential, substantial support for legal aid. SB 31, which the Judicial Department supports, would eliminate the sunset in current court fees law so that funding can continue uninterrupted.

Financial support for legal aid benefits individual clients and the community

The staff in our programs provides essential services to about ten thousand low-income people facing life crises every year. The legal services our staff provides are an essential part of the social service network.

Every social service agency, court, police department and legislative office refers the most complicated and urgent situations facing poor people to our legal services lawyers. Every day, our lawyers address legal problems related to low-income people's basic survival:

- **Helping women stay safe** in their family relationships, including protecting immigrant women from partners who use violence and immigration status to control and abuse.

- **Helping children with learning challenges** stay in school, with the supportive services they need to develop their potential and succeed.
- **Preventing homelessness** and assisting people to obtain and keep safe and affordable housing.
- **Helping families get basic health care** and treatment for disabling medical conditions.
- **Helping workers achieve self-sufficiency through employment**, fair wages and safe working conditions.
- **Helping seniors to maintain independence**, and attain protection from abuse and exploitation.

Legal aid benefits individual clients, and our larger community: we all benefit when families are helped to rise out of poverty or to avoid falling deeper into poverty.

SB 31 continues the stable funding that prevented the collapse of legal aid and assists tens of thousands of low-income families

The collapse in legal aid funding beginning in 2008 would have resulted in the collapse of legal aid in Connecticut, but for the support of the Legislature and the Governor. In brief, the Legislature and the Governor enacted court filing fees in 2009 and again in 2012 to keep at least most legal services staffing in place to assist families. However, the 2012 fees will "sunset" or automatically expire unless the legislature acts.

The Governor's proposal in SB 31 eliminates the sunset so that this funding can continue. The "sunset" provision in the current law would cause an enormous fall-off in legal aid funding in 2015, and before the legislature would have time to act, the legal aid programs would be forced to lay off at least 35 staff, with a resulting reduction in services to thousands of people.

The 2012 fees are shared between legal services and the Judicial Branch. The Governor has recognized in his budget proposal that there is an acute need for more of the essential legal assistance that our programs provide. So SB 31 increases the percentage of the 2012 court fees that goes to funding legal services from 70% to 95%. That increase is accomplished by decreasing the percentage going to fund Judicial Branch technology.

We are very grateful that the Judicial Branch supports this change. The Branch has stated that despite the importance of its technology needs, they agree with the Governor that it is appropriate for a portion of this funding to be transferred to legal aid to help address more of the enormous unmet legal needs of the citizens of our state.

Our studies of the legal needs of low-income people show that there is an enormous remaining need for legal services among the poor that is going unmet, and the shift in direction of fee revenues would make a dent in this problem. We see this every day in the numbers of people unrepresented in the courts, the number of battered women who still do not have a lawyer, the number of elderly people needing legal help who cannot get it.

Thank you for this opportunity to provide testimony.